



PATENT
Docket No.: S4264.000/P000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Charles B. SIMONE

Art Unit: 2311

RECEIVED

Serial No.: 08/063,734

Examiner: G. Shingala

OCT 13 1994

Filed: May 20, 1993

GROUP 10

For: METHOD AND APPARATUS FOR LIFESTYLE RISK EVALUATION
AND INSURABILITY DETERMINATION

RESPONSE

10/19/94 X
Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action mailed July 14, 1994, we
respond as follows:

REMARKS

In response to the Office Action mailed July 14, 1994,
claims 1-8 remain pending in this application. Reconsideration
of all rejections is respectfully requested.

Claims 1-8 were rejected under 35 U.S.C. § 101 because
the claimed invention is directed to non-statutory subject
matter, and in particular to a method of doing business.
Reconsideration of this rejection is respectfully requested in
light of several recent decisions by the Court of Appeals for the
Federal Circuit (CAFC).

The CAFC recently decided the case of In Re Alappat, No.
92-1381 slip op. (Fed. Cir. 1994), which involved claims covering

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**PATENT
AMENDMENT TRANSMITTAL**

GP 2311

FORM PTO-1083

Case Docket Number: S4264.000/P000



In re application of Charles B. SIMONE

Serial 08/063,734

Filed: May 20, 1993

METHOD AND APPARATUS FOR LIFESTYLE RISK EVALUATION AND INSURABILITY DETERMINATION

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

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CCT 13 1994

GROUPS

Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	8	MINUS	20	
INDEP.	2	MINUS	3	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				
			X 11	\$0
			X 38	\$0
			+ 120	
			TOTAL ADDITIONAL FEE	\$0
			OR	TOTAL
			RATE	ADDITIONAL FEE
			22	\$0
			76	\$0
			+ 240	
			OR	TOTAL

In the event that a further petition for an extension of time is required to be submitted at this time, applicant(s) hereby petition(s) under 37 CFR 1.136(a) for an extension of time for as many months as are required to ensure that the above-referenced application does not become abandoned. Any fee(s) should be charged to Deposit Account No. 04-1073.

Please charge my Deposit Account No. 04-1073 in the amount of _____ A duplicate copy of this sheet is attached.

A check in the amount of _____ is attached.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 04-1073. A duplicate copy of this sheet is attached.

Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

~~Jon D. Grossman~~

Date: October 12, 1994

32,699
Reg. No.